

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

NETLIST, INC.,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD., et al.,

Defendants.

Civil No. 2:22-cv-00293-JRG
(Lead Case)

JURY TRIAL DEMANDED

SAMSUNG'S NOTICE OF WITHDRAWAL OF EQUITABLE DEFENSES

In view of the parties' positions and the Court's rulings regarding essentiality, Samsung provides notice of its withdrawal of the equitable defenses set forth in its Answer to Netlist's Third Amended Complaint, without prejudice. *See* Dkt. 145 at 22 (Third Additional Defense: Laches, Estoppel, and/or Waiver), 28 (Tenth Additional Defense: Prosecution Laches), 28-44 (Twelfth Additional Defense: Inequitable Conduct and Unclean Hands), 45 (Fourteenth Additional Defense: Res Judicata/Claim Preclusion). As a result of this narrowing, Samsung respectfully submits that there are no equitable issues to be decided in a bench trial in this case.

Dated: November 19, 2024

Respectfully submitted,

By: /s/ Daniel A. Tishman

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was filed electronically in compliance with Local Rule CV-5 on November 19, 2024. As of this date, all counsel of record have consented to electronic service and are being served with a copy of this document through the Court's CM/ECF system under Local Rule CV-5(a)(3)(A).

/s/ Daniel A. Tishman